UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,112	04/13/2001	John Cambray	CABINTCH-001XX	4203

7590	04/27/2005

BOURQUE & ASSOCIATES, P.A.
Suite 303
835 Hanover Street
Manchester, NH 03104

EXAMINER
CHANG, SUNRAY

ART UNIT	PAPER NUMBER
2121	

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
09/835,112</td><td>Applicant(s)
CAMBRAY ET AL.</td><td></td></tr>
<tr><td>Examiner
Sunray Chang</td><td>Art Unit
2121</td><td></td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 March 2005</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This office action is in responsive to the paper filed on March 3rd, 2005.

2.   Claims 1 – 23 are presented for examination.

Claims 1 – 23 are rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the

United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by

another filed in the United States before the invention by the applicant for patent, except that an international application

filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed

in the United States only if the international application designated the United States and was published under Article

21(2) of such treaty in the English language.

3.   **Claims 1 – 6 and 8 – 23 are rejected** under 35 U.S.C. 102(e) as being anticipated by

Michael I. Ingrassia, Jr. (U.S. Patent No. 6,035,332, and referred to as Ingrassia hereinafter).

4.   **Regarding independent claims 1 and 23,**

Ingrassia teaches,

- A system for performing real time monitoring of activities on an interactive network server.

[Abstract]

- An interactive network server including a source of information, an information controller and a server activity reporter; [see Col. 1, Lines 27 – 30, and Col. 2, Lines 27 – 59; see also Fig. 6]

- Interactive network server coupled to a computer network, [see Col. 1, Lines 27 – 30, and Col. 2, Lines 27 – 59; see also Fig. 6]

- For receiving requests for at least first information from at least one visitor accessing said interactive network server, and responsive to said requests, for providing said at least first information from said source of information to said visitor over said computer network, [see Col. 1, Lines 27 – 30, and Col. 2, Lines 27 – 59; see also Fig. 6]

- Information controller for controlling said providing of said at least first information to said at least one visitor; [see Col. 1, Lines 27 – 30, and Col. 2, Lines 27 – 59; see also Fig. 6]

- Server activity reporter for providing an indication of at least some of said activities on said interactive network server; [see Col. 1, Lines 27 – 30, and Col. 2, Lines 27 – 59; see also Fig. 6]

- A data filter, responsive to said interactive network server activity reporter, for filtering at least some of said interactive network server activity information and for providing filtered interactive network server activity information; [see Col. 1, Lines 27 – 30, and Col. 2, Lines 27 – 59; see also Fig. 6]

- A data analyzer, responsive to said filtered interactive network server activity information, for determining at least the present status of said at least one visitor accessing said interactive network server; [see Col. 1, Lines 27 – 30, and Col. 2, Lines 27 – 59; see also Fig. 6]

- A data reporter, responsive to said data analyzer and to a request for visitor information, for organizing and preparing for display, in a graphical format, at least said present status of said at least one visitor accessing said interactive network server; [see Abstract, Col. 1, Lines 27 – 30, and Col. 2, Lines 27 – 59; see also Fig. 6 and Fig. 8's] and

- At least one network server administrative terminal including a data display device, said at least one network server administrative terminal providing a request for visitor information to said data reporter , and responsive to said data reporter, for displaying, on said data display device, said at least present status of said at least one visitor in graphical format. [see Col. 6, Lines 9 – 65, and Col. 5, Line 55 – Col. 6, Line 8; see also Fig. 6, and Fig. 8's]

5.   **Regarding dependent claim 2,**

- Information controller is responsive to an information control signal, for controlling said providing of said at least first information to said at least one visitor. [see Col. 2, Lines 27 – 59, and Col. 5, Line 55 – Col. 6, Line 8]

6.   **Regarding dependent claim 3,**

- Data input device of said at least one network server administrative terminal provides said information control signal. [see Fig. 8's]

7.   **Regarding dependent claim 4,**

- Data filter is responsive to a data filter input file, and wherein said user input device from said at least one network server administrative terminal establishes said data filter input file. [see Col. 6, Lines 9 – 55]

8.   **Regarding dependent claim 5,**

- Data filter input file establishes desired visitor information, which will be used to generate real time graphical reports. [see Col. 6, Lines 9 – 55; see also Fig. 6]

9.   **Regarding dependent claim 6,**

- Desired visitor information is based on visitor activity on said interactive network server. [see Col. 9, Line 66 – Col. 10, Line 55]

10.   **Regarding dependent claim 8,**

- Graphical format includes at least visitor information arranged in at least one format selected from the group consisting of a visitor format, a category format and a sequence format. [see Fig. 8's]

11.   **Regarding dependent claim 9,**

- Interactive network server includes at least one interactive web site server. [see Col. 2, Lines 27 – 59]

12.   **Regarding dependent claim 10,**

▪ Visitor information displayed in a graphical format includes the amount of time the visitor has been on the interactive web site server, the amount of time the visitor has been on a given web page and a category description of the given web page. [see Col. 9, Line 46 – Col. 10, Line 10]

13.   **Regarding dependent claim 11,**

▪ Interactive web site server includes a plurality of Internet web site servers coupled together to act as one Internet web site server. [see Col. 6, Lines 58 – 62, and Col. 1, Lines 27 – 30]

14.   **Regarding dependent claim 12,**

▪ Computer network includes the World-Wide-Web. [see Col. 1, Lines 27 – 30]

15.   **Regarding dependent claim 13,**

▪ At least first information includes at least one web page provided from said interactive network server to said at least one visitor. [see Col. 2, Lines 27 – 59, and Col. 1, Lines 27 – 30]

16.   **Regarding dependent claim 14,**

▪ Interactive network server receives a plurality of requests for a plurality of information from said at least one visitor. [Col. 4, Lines 13 – 49]

17.   **Regarding dependent claim 15,**

- A visitor information log, responsive to said at least one visitor accessing said interactive network server, for recording visitor information generally in real time, as said visitor information is generated, said recorded visitor information including at least a visitor identifier for each visitor accessing said interactive network server; [see Col. 9, Line 66 – Col. 10, Line 11, see also Fig. 6, and Fig. 8's]

- Said at least first information requested by said at least one visitor, and at least said first information provided by said interactive network server; [see Col. 9, Line 66 – Col. 10, Line 11, see also Fig. 6, and Fig. 8's] and

- A data parser, responsive to said visitor information, for organizing said recorded visitor information according to at least individual visitors accessing said interactive network server. [see Col. 9, Lines 31 – 65]

18.   **Regarding Claim 16**, wherein

- said visitor identifier stored in said visitor information log includes an IP address. [see Col. 14, Line 19 – Col. 15, Line 5]

19.   **Regarding dependent claim 17,**

- Interactive network server provides at least second information to said visitor; [see Col. 6, Lines 36 – 55]

- At least second information not requested by said visitor. [see Col. 6, Lines 36 – 55]

20.   **Regarding dependent claim 18,**

- Visitor information includes the URL of web pages, which said at least one visitor has accessed on the interactive network server. [see Fig. 8's]

21.   **Regarding Claim 19,**

- wherein said visitor information further includes shopping cart contents [interactions]. [storing information about interactions to a page tracking server, see Col. 2, Lines 27 – 31]

22.   **Regarding Claim 20,**

- Data parser organizes said reported visitor information according to at least one individual visitor and in chronological order [sequence request] according to said at least one individual visitor. [see Col. 9, Lines 31 – 45]

23.   **Regarding dependent claim 21,**

- Data analyzer determines, in addition to the present status of said at least one visitor, the past history of said at least one visitor during said at least one visitor's present access to said interactive network server. [see Fig. 8's]

24.   **Regarding dependent claim 22,**

- Data analyzer further includes a data trigger, responsive to a user entered trigger value for at least one specific event, for generating a real time action response. [see Col. 9, Lines 31 – 45]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness
      or nonobviousness.

25.   **Claim 7 is rejected** under 35 U.S.C. 103(a) as being unpatentable over Ingrassia, and in

view of James R. Mault et al. (U.S. PG Pub. No. us 2001/0044588 and referred to as Mault

hereinafter).

(Ingrassia as set forth above generally discloses the basic inventions.)

26.   **Regarding Claim 7,**

■   graphical format is selected from the group consisting of a pie chart and a bar chart.

Ingrassia teaches graphical format [see Fig. 6].

Ingrassia does not teach a pie chart and a bar chart.

Mault teaches a pie chart and a bar chart [0057], for the purpose of providing information on the monitored subject to a caregiver viewing entertainment device.

It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Ingrassia to include "a pie chart and a bar chart" for the purpose of providing information on the monitored subject to a caregiver viewing entertainment device.

Conclusion

27.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunray Chang whose telephone number is (571) 272-3682. The examiner can normally be reached on M-F 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (571) 272-3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-3506.

Sunray Chang
Patent Examiner
Group Art Unit 2121
Technology Center 2100
U.S. Patent and Trademark Office

April 20, 2005

Anthony Knight
Supervisory Patent Examiner
Group 3800